

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RASHAWN KINGSBERRY,

Plaintiff,

21-cv-9076 (JGK)

- against -

ORDER

WARDEN CARTER ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

The plaintiff has moved for the appointment of pro bono counsel pursuant to 18 U.S.C. § 3006A. ECF No. 14. The Second Circuit Court of Appeals has instructed that a district court should only appoint pro bono counsel in cases where the indigent party's position is likely to have merit. See Cooper v. A. Sargent Co., Inc., 877 F.2d 170, 173 (2d Cir. 1989); Hodge v. Police Officers, 802 F.2d 58, 61 (2d Cir. 1986). Because the plaintiff's claims do not yet meet this threshold requirement, the plaintiff's request for the appointment of pro bono counsel is **denied without prejudice**.

The Clerk is directed to mail a copy of this Order to the plaintiff's last known address and to note service on the docket sheet.

SO ORDERED.

Dated: New York, New York  
June 9, 2022

  
John G. Koeltl  
United States District Judge